

## Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 228318  
ORIGIN AF-10

INFO OCT-01 ISO-00 CPR-02 L-03 H-01 PA-01 SS-15  
NSCE-00 /033 R

DRAFTED BY AF/S:KMCCORMICK:DH  
APPROVED BY AF/S:HKAISER  
S/CPR:RGOOKIN (INFO)  
L:HSHAMWELL (INFO)  
AF/S:LMACFARLANE  
-----036768 082148Z /23  
O R 082108Z SEP 78  
FM SECSTATE WASHDC  
TO AMEMBASSY MBABANE IMMEDIATE  
INFO AMEMBASSY GABORONE

LIMITED OFFICIAL USE STATE 228318

E.O. 11652: N/A

TAGS: PGOV, WZ

SUBJECT: HIT AND RUN INCIDENT INVOLVING SWAZI DIPLOMAT

REF: STATE 226187

1. AMBASSADOR KUNENE WAS CALLED IN TO DEPARTMENT TODAY  
TO DISCUSS HIT-AND-RUN ACCIDENT DESCRIBED IN REFTTEL.  
MEETING DID NOT SUCCEED IN CLARIFYING ALL OF CONFUSION  
SURROUNDING CASE. CLEARLY ESTABLISHED FACTS ARE THAT  
CAR IDENTIFIED BY WITNESSES AS REGISTERED TO SWAZI EMBASSY  
FIRST SECRETARY NKUMBULE STRUCK AND BADLY INJURED 75-YEAR-  
OLD PEDESTRIAN SEPTEMBER 4 AND DISAPPEARED. NKUMBULE  
DENIES INCIDENT AND HAS TOLD POLICE THAT CAR HAD BEEN  
LOANED AT THAT TIME TO PRINCE DAVID DLAMINI, STUDENT AND  
TEMPORARY SWAZI EMBASSY EMPLOYEE WHO DOES NOT ENJOY  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 228318

DIPLOMATIC IMMUNITY. DLAMINI DENIES THIS.

2. KUNENE IS RELUCTANT TO FOREGO DIPLOMATIC IMMUNITY  
AND AUTHORIZE HIS PERSONNEL TO GIVE COMPLETE STATEMENTS  
TO POLICE DESPITE HIS AWARENESS THAT NKUMBULE HAS ALREADY  
GIVEN PARTIAL STATEMENT WHICH IT MAY BE IN HIS INTEREST  
TO CLARIFY. DEPARTMENT SUGGESTED HE WAIVE IMMUNITY

FOR THIS PURPOSE AND INSTRUCT HIS PERSONNEL TO COOPERATE FULLY WITH POLICE INVESTIGATION IN ORDER TO RESOLVE

CONFUSION. HE WAS ALSO URGED TO RETAIN LEGAL COUNSEL, CONSIDER MAKING GESTURE OF A PERSONAL VISIT OF SYMPATHY TO VICTIM IN HOSPITAL AND INSTRUCT NKUMBULE'S INSURANCE COMPANY THAT HE WOULD NOT AUTHORIZE THEM TO REFUSE LEGITIMATE CLAIMS FOR COMPENSATION, IF ESTABLISHED, ON GROUNDS OF DIPLOMATIC IMMUNITY.

3. KUNENE IS DEEPLY CONCERNED THAT PRINCE DAVID, WHO DOES NOT ENJOY DIPLOMATIC IMMUNITY, MAY BE IMPLICATED ALTHOUGH HE TOLD DEPARTMENT HE DOES NOT BELIEVE HE IS. HE IS ALSO EXTREMELY RELUCTANT TO TAKE ANY STEPS INCLUDING RETAINING LEGAL COUNSEL OR VISITING VICTIM, WITHOUT SPECIFIC AUTHORIZATION FROM MBABANE. YOU SHOULD THEREFORE APPROACH GOS AT APPROPRIATE LEVEL TO BRING TO THEIR ATTENTION SERIOUSNESS WITH WHICH USG VIEWS INCIDENT AND URGE THEM TO AUTHORIZE KUNENE TO TAKE IMMEDIATE STEPS TO MINIMIZE NEGATIVE REACTION IN US PUBLIC AND CONGRESS. IT SHOULD BE EMPHASIZED THAT OUR CONCERN IS BOTH TO OBTAIN COOPERATION IN RESOLUTION OF INCIDENT ON US SOIL INVOLVING POTENTIAL CRIMINAL LIABILITY AND TO ASSIST GOS IN MINIMIZING DAMAGE TO INTERESTS OF SWAZILAND FROM UNFORTUNATE INCIDENT.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 228318

4. FYI: BOTH SENATE AND HOUSE HAVE NOW PASSED VERSIONS OF BILL DESIGNED TO RESTRICT INVOCATION OF DIPLOMATIC IMMUNITY, LARGELY AS RESULT OF CASES SIMILAR TO THIS. MEDIA CAN BE EXPECTED TO CONSIDER THIS INCIDENT HIGHLY RELEVANT. CHRISTOPHER

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC PRIVILEGES, TRAFFIC ACCIDENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 08 sep 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE228318  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** KMCCORMICK:DH  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780367-0079  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780986/aaaactnp.tel  
**Line Count:** 99  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** ad251054-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN AF  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 STATE 226187  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 29 apr 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1498491  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** HIT AND RUN INCIDENT INVOLVING SWAZI DIPLOMAT  
**TAGS:** PGOV, PDIP, WZ  
**To:** MBABANE  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/ad251054-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014